

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Claude F. Guidroz, Ward I
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
February 16, 2016
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Mayor Pro Team
Robin Mouton, Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **February 16, 2016**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

OPENING

- * Invocation Pledge of Allegiance Roll Call
- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda items 1-3/Consent Agenda
- * Consent Agenda

Mayor Ames called the council meeting to order at 1:30 p.m.

Pastor Torrey Doucette of New Beginnings Baptist Church gave the invocation. Mayor Ames led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Getz, Councilmembers Guidroz, Wright, Pate, Samuel and Mouton. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

"Kade Harrington Day" - February 16, 2016 - Proclamation read by Councilmember Pate; accepted by Kade Harrington and Coach Woodard along with other Lamar students

Mayor Ames read the announcement regarding Executive Session being held at the conclusion of the General Business portion of the meeting.

Public Comment: Persons may speak on scheduled agenda items 1-3/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes – February 9, 2016
- * Confirmation of committee appointments – **None**

- A) Approve the award of two one-year contracts for the purchase of Police uniforms from Miller Uniform Company of Austin and Galls, Inc., of Lexington, Kentucky
Resolution 16 – 030
- B) Authorize the City Manager to apply for and receive funding through the Department of Homeland Security Grant Program - **Resolution 16 – 031**
- C) Authorize the claim settlement of Shannon Pankow: EEOC Charge No. 460-2014-03866C - **Resolution 16 – 032**

Councilmember Pate moved to approve the Consent Agenda. Councilmember Guidroz seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider a resolution authorizing the award of a bid to A-1 Construction Services of Houston for the Edson Drive Surface Rehabilitation Project from Gladys Avenue to Delaware Street.

The section of Edson Drive from Gladys Avenue to Delaware Street is a heavily traveled, two (2) lane roadway that has experienced numerous failures and, after continual repair efforts, now requires resurfacing to extend the life of the roadway.

On Thursday, February 4, 2016, bids were solicited for furnishing all labor, materials, equipment and supplies for the project. Three (3) bids were received as follows:

Contractor	Location	Bid
A-1 Construction Services	Houston, Texas	\$366,237.88
LD Construction	Beaumont, Texas	\$369,397.90
APAC	Beaumont, Texas	\$433,215.84

A total of 90 calendar days are allocated for the completion of the project. A-1 Construction Services is not a Certified MBE/HUB company.

Approval of resolution.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY A-1 CONSTRUCTION SERVICES, OF HOUSTON, TEXAS, IN THE AMOUNT OF \$366,237.88 FOR A CONTRACT FOR THE EDSON DRIVE SURFACE REHABILITATION PROJECT FROM GLADYS AVENUE TO DELAWARE STREET BE ACCEPTED BY THE CITY OF BEAUMONT; AND THAT THE CITY MANAGER BE**

AND HE IS HEREBY AUTHORIZED TO EXECUTE A CONTRACT WITH A-1 CONSTRUCTION SERVICES, OF HOUSTON, TEXAS. Mayor Pro Tem Getz seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON

NAYS: NONE

MOTION PASSED

Resolution 16 - 033

2. Consider a resolution authorizing the repair of three Gradall units by Asco, Inc. of Beaumont for use in the Streets and Drainage Division.

Gradall units 5142, 5152 & 5158 have been plagued by hydraulic and electrical issues. The Gradall units are continually needing repairs due to the rugged conditions in which they operate. It has been determined that refurbishing these units is more cost effective than purchasing new units. The units will be re-hosed and re-harnessed by ASCO of Beaumont. In addition any repairs found during the overhaul will be addressed as well. This refurbishment will increase the productivity of the equipment reducing downtime and maintenance repairs.

ASCO is a sole source vendor, as Gradall is a unique piece of equipment. Below are the estimates for each unit and because there is a high probability of additional needed repairs being identified during the refurbishment there is a 15% allowance.

Unit	Year	Make	Model	Hours	Estimate (+15% allowance)
5142	2001	Gradall	XL3100	26,460	\$65,000.00
5152	2005	Gradall	XL3100	27,740	\$65,000.00
5158	2007	Gradall	XL3100	26,345	\$54,000.00

Approval of the resolution.

Mayor Pro Tem Getz moved to APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE REPAIR OF THREE (3) GRADALL UNITS (5142, 5152, AND 5158) BY ASCO, INC., OF BEAUMONT, TEXAS, THE SOLE SOURCE VENDOR, IN THE AMOUNT NOT TO EXCEED \$211,600. Councilmember Wright seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON

NAYS: NONE

MOTION PASSED

Resolution 16 - 034

3. Consider authorizing the City Manager to execute an Industrial District Contract with Total Petrochemical & Refining USA, Inc.

Industrial District Contracts enable the City to collect payments in lieu of taxes from industries located outside the city limits but within the extra territorial jurisdiction of the city. The City's contract with Cray Valley expired December 31, 2015. Since the prior contract Total Petrochemicals and Refining USA, Inc., purchased this Cray Valley location. The new contract is effective January 1, 2016. The in-lieu of tax payment will be based on a ratio of 80% of property taxes due to the City as if the industry were located within the city limits in 2016 through 2018 and 75% of property taxes due to the City in 2019 through 2022. The 2016 payment will be calculated based on 80% of the assessed value multiplied by the tax rate effective on October 1, 2015 or \$0.69 per \$100 of assessed valuation. The 2016 payment will be due March 1, 2016 this year and future payments will be due to the City by February 1st of each year.

Approval of the resolution.

Councilmember Wright moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE AN INDUSTRIAL DISTRICT AGREEMENT WITH TOTAL PETROCHEMICAL & REFINING USA, INC.** Councilmember Mouton seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON

NAYS: NONE

MOTION PASSED

Resolution 16 – 035

WORK SESSION

- * Review and discuss Low Income Housing Tax Credit applications related to proposed projects within the City of Beaumont or the City's Extraterritorial Jurisdiction (ETJ)

Chris Boone, Community Development Director reviewed and discussed the low income housing tax credit applications related to proposed projects within the City of Beaumont or the City's Extraterritorial Jurisdiction (ETJ). There was additional discussion on why there are more applications for FY 2016; 1) there is a 25% increase in applications state-wide; 2) more developers from outside of Texas are coming in; 3) there are fewer applications than last year; and 4) The Community Reinvestment Act (CRA) is driving more interest and cheaper money into such projects. There was also discussion on the process overview, notification requirements, options for the City, twice the state average per capita along with

a draft resolution, the criteria promoting community support and engagement including the ETJ, local government support with a resolution, local government funding support and what the City options are, as well as the project list.

COMMENTS

* Councilmembers/City Manager/City Attorney comments on various matters

COUNCILMEMBER COMMENTS

COUNCILMEMBER GUIDROZ -

COMPLIMENTED THE POLICE CHIEF AND THE CITIZENS ADVISORY BOARD FOR AN EXCELLENT COMMUNITY BONDING ACTIVITY THAT WAS HELD ON MONDAY NIGHT, THE ACTIVITY EXEMPLIFIED WHY BEAUMONT IS SO SPECIAL AND NOT STRUGGLING WITH WHAT OTHER CITIES STRUGGLE WITH, THERE WAS A DIVERSIFIED REPRESENTATION OF THE CITY, CITED THREE QUOTES THAT HE HADN'T FOCUSED ON BEFORE THAT WERE TALKED ABOUT DURING THE ACTIVITY, ALSO COMMENTED ON THE DEATH OF SUPREME COURT JUSTICE ANTONIN SCALIA

MAYOR PRO TEM GETZ -

ENCOURAGED EVERYONE TO GO OUT AND VOTE, EARLY VOTING STARTED TODAY, ANNOUNCED THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION WOULD BE MEETING ON TUESDAY, FEBRUARY 16, 2016, AT WEST GATE MEMORIAL BAPTIST CHURCH AT 6:30 P.M., ASKED EVERYONE TO KEEP STEVE HOFFMAN, WHO IS A MEMBER OF THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION IN THEIR PRAYERS AS HE IS ILL

COUNCILMEMBER WRIGHT -

GAVE CONDOLENCES TO THE LANE FAMILY, ALSO RECOGNIZED PORT COMMISSIONER GEORGINE GUILLORY, STATED IT WAS ANOTHER GREAT DAY IN BEAUMONT

COUNCILMEMBER PATE -

ASKED THAT COUNCIL ALLOW HIM TO DEFER HIS COMMENTS AND SHOW A VIDEO OF KADE HARRINGTON

COUNCILMEMBER SAMUEL -

NONE

COUNCILMEMBER MOUTON -

CONGRATULATED KADE HARRINGTON, ACKNOWLEDGE PORT COMMISSIONER, GEROGINE GUILLORY AS WELL AS THE MINISTERS THAT WERE IN ATTENDANCE, ENCOURAGED EVERYONE TO GO OUT AND VOTE, EARLY VOTING BEGAN FEBRUARY 16, 2016, ALSO STATED THAT IT WAS BLACK HISTORY MONTH, COMMENTED ON A PROGRAM THAT SHE

ATTENDED AT THE **WILLARD LIBRARY** ON **SATURDAY**, THE **ALEX GENEALOGY BLACK HISTORY** PROGRAM WHERE THE GENTLEMAN COULD GO BACK AND TRACE A PERSON'S ROOTS EVEN TO PLANTATIONS BEFORE THEY WERE ON PAPER BY CROSS REFERENCE PLANTATIONS THAT WERE NEXT TO EACH OTHER, STATED IT WAS A GREAT PRESENTATION

CITY ATTORNEY COOPER - **NONE**

CITY MANAGER HAYES - **NONE**

MAYOR AMES - **WELCOMED PORT COMMISSIONER, GEORGINE GUILLORY, ASKED THAT THE CITY MANAGER PREPARE A WORKSESSION ON THE PROTOCOL FOR THE COUNCIL AS TO HOW THINGS ARE PUT ON THE AGENDA, WANTS TO MAKE SURE THAT COUNCIL IS ADHERING TO THE OPEN MEETINGS ACT**

Public Comments (Persons are limited to three minutes)

Rob Jones **3698 Canyon Ln.** **Beaumont TX**

Spoke to Council regarding not taking any action on the Low Income Housing Tax Credit applications, stated that it would be in the best interest of the City not to take any more housing units, commented on the number of apartment complexes as well as the number of units and how many are public housing

Casy Matthews **1280 Cherokee Ln.** **Beaumont TX**

Stated that he lives in one of the six homes that are to the west of where the Bristol project is to be built, asked that Council not take any action, it would greatly affect their neighborhood, also questioned how much more low income housing does the City need

Virginia Jordan **2145 Hazel** **Beaumont TX**

Stated that the Oaks Historic District is also asking Council not to take any action in regards to the Bristol project, gave several reason as to why they oppose this project, also the Beaumont Board of Realtor's meet on 11th street and wasn't aware of this project, they were made aware of it two days ago, they have stated that the City doesn't need any more low income housing units, the City has enough

Marc McDonald **725 21st St.** **Beaumont TX**

Stated that he is a member of the Beaumont Board of Realtors, asked that Council take no action in regards to the Bristol project, the Beaumont Board of Realtors would like to do more research on this matter

Pastor Rodney Graves

1090 Roberts Ave.

Beaumont TX

Spoke in regards to the train horns in his neighborhood, asked that Council take action immediately to rectify this problem that should have been taken care of some years ago

E. Charles Jackson

1225 Cherokee

Beaumont TX

Spoke in regards to the Bristol Project, asked that Council not take action on this low income housing tax credit project also stated that he hasn't heard anyone talk about how security would be with these low income projects

Talsha Davis

P.O. Box 7288

Beaumont TX

Spoke to Council in regards to the Tennis Center at the Athletic Complex on College St., stated she is against Council wanting to privatize the facility, also commented on the time that Council has meetings, would like to see the time changed so that more citizen could attend, also wanted to know why the agenda isn't on the monitor so that citizens can follow along as well as the information from Worksession be given to all citizens attending the meeting, also wanted to know who owns the property where the Bristol project is being proposed, is it a Councilmember or who and if it is a Councilmember wouldn't that be a conflict of interest

Leroy Royer

7850 Cobblestone Ct.

Beaumont TX

Echoed the comments of many citizens that spoke before him, asked that Council not take action on any of the Low Income Tax Credit applications, especially the project between Folsom and Delaware, also commented on the high opportunity area

Gretchen Hargroder

2301 Long St.

Beaumont TX

Stated that she hadn't heard any comments on the occupancy rates, does the City really need these units and what is the current occupancy rates of the ones that are already located within the City

W. R. Sam

1761 Rena St.

Beaumont TX

Commented on the noise level as far as the Council is concerned and hopes that something can be accomplished on this issue, very hard to hear when sitting in the back of Council Chambers

Carl Gerace

8040 Village Dr.

Beaumont TX

Stated that he lives on property that's right behind the lot where the Westfield Senior Village is being proposed, based on the plot map that he has seen it seems that these will be flat units, also announced that there will be a town hall meeting at 6:00 p.m., at the Miller Library where people can get more information in regards to the Westfield Senior Village Project

Open session of meeting recessed at 2:59 p.m.

EXECUTIVE SESSION

- * Consider matters related to appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee in accordance with Section 551.074 of the Government Code to wit:

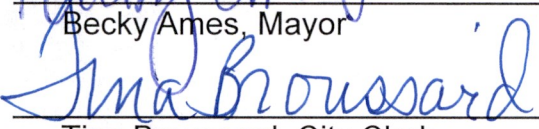
Personnel Matters, specifically Tyrone Cooper

Personnel Matters, specifically Quentin Price

There being no action taken in Executive Session, Council adjourned.

Audio available upon request in the City Clerk's Office.


Becky Ames, Mayor


Tina Broussard, City Clerk

